

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), enacted in October 1994 (and significantly updated in 1996 and 1998), provides reemployment protection and other benefits for veterans and employees who perform military service. It clarifies the rights and responsibilities of National Guard and Reserve members, as well as their civilian employers. In fact, it applies to virtually all employers—including the federal government—regardless of the size of their business. It protects the rights of those who serve with the regular components, reserve components, and National Guard when in the federal service.

For a comprehensive overview of USERRA and answers to questions such as “What protections must an employer give under USERRA?” Please visit the Army JAG website at http://www.jagcnet.army.mil/Legal_and and click on the “Reserve Components” link.

The long-awaited Department of Labor regulations implementing USERRA have been published and are effective January 18, 2006.

Here is a link to the regulations:

<http://a257.g.akamaitech.net/7/257/2422/01jan20051800/edocket.access.gpo.gov/2005/05-23961.htm>

Here is a link to a story about the new regulations, in the Dec. 23, 2005 issue of the periodical *GovExec.com*:

<http://govexec.com/dailyfed/1205/122305lb.htm>

The story quotes John Odom, who was the chief author of the USERRA section of the ABA Report of the Working Group on Protecting the Rights of Service Members (August 2004).

Odom said the rules will not please everyone and won't cover every situation, but represent a major step forward. "We now have some teeth in the way of regulations, to argue with and to argue to employers about, on many specifics," he said.